

TITLE 21 AGRICULTURE AND RANCHING
CHAPTER 17 PEST, DISEASE, AND WEED CONTROL
PART 53 CONTINUING EDUCATION UNITS FOR PESTICIDE APPLICATORS

21.17.53.1 ISSUING AGENCY: New Mexico State University, New Mexico Department of Agriculture
[12/1/96; 21.17.53.1 NMAC - Rn & A, 21 NMAC 17.53.1, 05/29/09]
[MSC 3189, Box 30005, Las Cruces, New-Mexico 88003-8005, Telephone No. (575) 646-3007]

21.17.53.2 SCOPE: This rule shall apply to all persons certified to use restricted-use pesticides --
commercial applicators, private applicators, public applicators and non-commercial applicators.
[12/1/96; 21.17.53.2 NMAC - Rn, 21 NMAC 17.53.2, 05/29/09]

21.17.53.3 STATUTORY AUTHORITY: Granted to the board of regents of New Mexico state university
under the New Mexico Pesticide Control Act, Chapter 76, Article 4, Sections 1 through 39, NMSA 1978
Compilation.
[12/29/92; 21.17.53.3 NMAC - Rn, 21 NMAC 17.53.3, 05/29/09]

21.17.53.4 DURATION: Permanent.
[12/1/96; 21.17.53.4 NMAC - Rn, 21 NMAC 17.53.4, 05/29/09]

21.17.53.5 EFFECTIVE DATE: December 1, 1996, unless a different date is cited at the end of a section or
paragraph.
[12/1/96; 21.17.53.5 NMAC - Rn, 21 NMAC 17.53.5, 05/29/09]

21.17.53.6 OBJECTIVE: The objective of Part 53 of Chapter 17 is to establish the mechanism for granting
continuing education units for the recertification of private, commercial, non-commercial and public pesticide
applicators.
[12/29/92; 12/1/96; 21.17.53.6 NMAC - Rn, 21 NMAC 17.53.6, 05/29/09]

21.17.53.7 DEFINITIONS:

A. "**Continuing education unit**" (CEU) means a credit granted for the attendance and successful
completion of an approved training or educational workshop or seminar held for the certification or recertification
of private, commercial, non-commercial or public pesticide applicators.

B. "**Certification period**" means:
(1) the one year period following the year of issuance of a commercial, public or non-commercial
applicator license;
(2) the five year period following the year of issuance of a private applicator license.

C. "**Recertification training**" means workshops, seminars, classes or similar educational forums
with instruction on pesticide use approved by the New Mexico department of agriculture (NMDA).
[12/29/92; 12/1/96; 21.17.53.7 NMAC - Rn, 21 NMAC 17.53.7, 05/29/09]

21.17.53.8 RECERTIFICATION:

A. All commercial, public and non-commercial applicators shall be recertified annually following the
initial issuance of their license.

B. A minimum of four (4) CEUs shall be required for the annual recertification of commercial,
public or non-commercial applicators.

C. Private applicators shall be recertified every five years following the initial issuance of their
certification.

D. A minimum of five (5) CEUs shall be required for recertification of private applicators.

E. No more than one (1) CEU per certification period shall be awarded for attendance at product
sales meetings.

F. A maximum of one (1) CEU shall be awarded per certification period for approved in-house
training programs.

G. The number of hours for recertification contained in this section are the minimum required for general recertification. Recertification in specific categories may require more than these minimums and may be specified in separate regulations relating to specific license categories.
[12/29/92; 12/1/96; 21.17.53.8 NMAC - Rn, 21 NMAC 17.53.8, 05/29/09]

21.17.53.9 APPROVAL OF RECERTIFICATION TRAINING: NMDA shall have final and sole approval of any program seeking CEUs and shall have complete authority in the awarding of CEUs for any approved program.
[12/29/92; 21.17.53.9 NMAC - Rn, 21 NMAC 17.53.9, 05/29/09]

21.17.53.10 GROUPING OF LICENSE CATEGORIES: Training for recertification shall be grouped in one of the following categories. NMDA shall make the final determination as to what categories any approved recertification program shall apply.

- A. pesticide use and safety;
- B. wood destroying organisms;
- C. private applicator.

[12/29/92; 12/1/96; 21.17.53.10 NMAC - Rn, 21 NMAC 17.53.10, 05/29/09]

21.17.53.11 AWARDING CONTINUING EDUCATION UNITS:

- A. One CEU shall be awarded for each hour of approved instruction or training, except for the following.
 - (1) A half CEU shall be the maximum awarded for any approved product sales meeting.
 - (2) One CEU shall be the maximum awarded for any approved in-house training program.
- B. One hour of instruction or training shall be equal to at least 45 minutes of contact time. One-half hour of instruction or training shall be equal to at least 20 minutes of contact time.
- C. A half CEU shall be the smallest unit awarded.
- D. CEUs shall be awarded only for topics relating to the safe effective use of pesticides and the laws and rules governing pesticide use.
- E. Persons seeking approval of programs for CEUs shall submit, at least fifteen (15) days prior to the beginning date for the meeting, a copy of the program complete with: 1) topics; 2) short description of each topic; 3) length of presentation per topic; and 4) speakers.
- F. Persons seeking approval of programs for CEUs shall allow at least two NMDA employees to attend any training program for purposes of monitoring the training without payment of any registration fee.
- G. Persons awarded approval for CEUs for an approved program shall complete and return to NMDA a copy of the meeting attendance roster.
- H. Attendance rosters must be post-marked to NMDA no later than ten (10) days from the last day of the training workshop or seminar.
- I. It shall be the responsibility of the applicator to return all CEU cards to NMDA.
- J. For programs where CEU cards are issued, NMDA shall credit CEUs for individual applicators based solely on returned CEU cards.
- K. NMDA may accept CEUs from state or federal agencies on submittal of acceptable documentation.

[12/29/92; 12/1/96; 21.17.53.11 NMAC - Rn, 21 NMAC 17.53.11, 05/29/09]

HISTORY OF 21.17.53 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

NMDA Rule 92-2, Continuing Education Units for Certified Applicators, filed 12/29/92.

History of Repealed Material: [RESERVED]